

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

MONTEZ LESHA BISHOP

PLAINTIFF

VS.

CIVIL ACTION NO. 3:24CV126TSL-ASH

JIMMY BENNETT, ET AL.

DEFENDANTS

ORDER

This cause is before the court on the report and recommendation of Magistrate Judge Andrew S. Harris entered on December 20, 2024, concluding that defendant Ricky Rhodes' motion to dismiss was not well taken insofar as it sought dismissal for lack of subject matter jurisdiction and improper venue and recommending that the motion be granted insofar as it seeks dismissal under Rule 12(b)(6). Plaintiff has not filed an objection and the time for doing so has expired. Having reviewed the report and recommendation, the court concludes that the magistrate judge's report and recommendation will be adopted as the opinion of the court.

Accordingly, it is ordered the report and recommendation of United States Magistrate Andrew S. Harris entered on December 20, 2024, be, and the same is hereby, adopted as the opinion of this court. It follows that the defendant Rhodes' motion is denied insofar as it seeks dismissal under Rule 12(b)(1) and for improper

venue and granted insofar as it seeks dismissal under Rule 12(b)(6).

SO ORDERED this 15th day of January, 2025.

/s/ Tom S. Lee  
UNITED STATES DISTRICT JUDGE